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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 7249**
Yoshiyuki MOCHIZUKI : Docket No. 2001_0501A
Serial No. 09/842,181 : Group Art Unit 3621
Filed April 26, 2001 : Examiner Cristina O. Sherr

INTERACTIVE NAVIGATION SYSTEM

REQUEST FOR A NEW OFFICE ACTION AND
RESTART OF THE PERIOD FOR RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

An Office Action dated May 5, 2005 was received in the above-identified application. In item 5 on page 2 of the Office Action, claims 17-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schreder (U.S. 5,504,482) in view of Chigumira et al. (U.S. 6,088,636).

However, the reasons the Examiner provided for rejecting claims 17-27 mention the limitations recited in cancelled claims 1-16. In particular, in rejecting claims 17, 24 and 26 on page 3 of the Office Action, the Examiner contends that Schreder discloses "input means," "first transmitter means," "map data storage means," "first receiver means," "route search means," "map data selector means," "billing means," etc.

Further, in item 7 on page 3 of the Office Action, the Examiner contends that Chigumira et al. discloses "route search means" and "map data selector means." In addition, the Applicant notes that the Examiner acknowledges that Schreder does not disclose "route search means," yet in the preceding paragraph, the Examiner contends that Schreder does disclose the "route search means."

Claims 17, 24 and 26, however, do not recite the means elements which the Examiner contends are disclosed in Schreder and Chigumira et al. in the May 5, 2005 Office Action. Each

of the means elements that the Examiner contends are disclosed in Schreder and Chigumira et al. were recited in cancelled claims 1-16, not pending claims 17-27.

Furthermore, each of the reasons given for rejecting claims 17-27 in items 4-15 of the Office Action are identical to the reasons given in the second Office Action dated September 22, 2004, which also did not properly examine pending claims 17-27 on the merits.

Accordingly, the Examiner does not even address the limitations recited in pending claims 17-27 in the reasons for supporting their rejection under 35 U.S.C. § 103(a). In particular, the Examiner does not even address the notification unit of claim 17, or the notifying a user of a storage time point of the stored map data when the determining of whether the route guidance can be performed determines that the route guidance can be performed, as recited in claims 24 and 26.

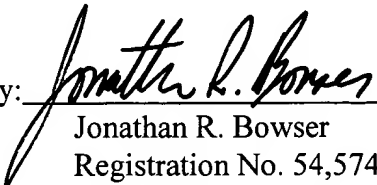
Therefore, a proper examination on the merits of the pending claims in the application has not been completed. The Applicant cannot adequately respond to the rejection of claims 17-27 when the Examiner does not even address the limitations of pending claims 17-27.

As a result of the defective May 5, 2005 Office Action, a new Office Action is respectfully requested properly examining the present invention, as recited in pending claims 17-27.

Since this error is being brought to the attention of the Office within one month of the mailing date of the May 5, 2005 Office Action, the period for response is respectfully requested to be restarted, as required in MPEP § 710.06.

Respectfully submitted,

Yoshiyuki MOCHIZUKI

By: 
Jonathan R. Bowser
Registration No. 54,574
Attorney for Applicant

JRB/nrj
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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